

FILED AND RECORDED
BOSSIER PARISH, LA
2018 DEC 6 AM 10 54

26TH JUDICIAL DISTRICT COURT FOR THE PARISH OF BOSSIER

STATE OF LOUISIANA

158009

NO.

DIVISION " "

KIRBY MOORE

VERSUS

NATIONAL UNION FIRE INSURANCE COMPANY OF
PITTSBURGH, PA, HALLIBURTON ENERGY SERVICES,
INC., AND PATRICK BAUGHMAN, JR,

DIV. A. - CRAIG

FILED: _____

DEPUTY CLERK

PETITION FOR DAMAGES

NOW INTO COURT, through undersigned counsel, comes Petitioner, KIRBY MOORE, person of the full age of majority, and a domiciliary of the Parish of Bossier, State of Louisiana, who, with respect, shows the Court as follows:

1.

That made defednatns herein are: NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA, a foreign insurance company authorized to do and doing business in the State of Louisiana at all times relevant hereto; HALLIBURTON ENERGY SERVICES, INC., a foreign corporation authorized to do and doing business in the State of Louisiana at all times relevant hereto; and, PATRICK BAUGHMAN, JR, person of the full age of majority and a domiciliary of the State of Mississippi.

Defendants are liable, jointly and in solido, to plaintiff for the following:

2

That on or about May 10, 2018, at approximatley 4:02 p.m., plaintiff, KIRBY MOORE, was operating a 2006 Mack concrete truck, with permission of its owner, northbound on Swan Lake Rd., at or about its intersection with Industrial Drive in the Parish of Bossier, State of Louisiana.

3.

That at approximately the same time and place, defendant, PATRICK BAUGHMAN, JR., was operating a 2016 Chevrolet Express passenger van, with the

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158009

permission of its owner, westbound on Industrial Drive at or about its intersection with Swan Lake Dr. in the Parish of Caddo, State of Louisiana.

4.

That at approximately the same time and place, defendant, PATRICK BAUGHMAN, JR., disregarded a stop sign and collided with the MOORE vehicle, which had the right of way.

5.

That the aforesaid collision sued on herein was the fault of and was proximately caused by defendant, PATRICK BAUGHMAN, JR., in the following, non-exclusive, respects:

- (a) by failing to yield the right of way, in violation of RS 32:123
- (b) by failing to keep a proper lookout;
- (c) by failing to see what should be seen;
- (d) by travelling too fast for conditions in violation of La. R.S. 32:64
- (e) by operating his vehicle in a reckless manner in violation of La. R.S. 32:58
- (f) by turning left when such movement could not be made with reasonable safety in violation of La. R.S. 32:104(A);
- (g) by failing to signal intent to turn left in violation of La. R.S. 32:104(B).

6.

That at all times relevant herein, defendant, PATRICK BAUGHMAN, JR., was acting within the course and scope of his employment with HALLIBURTON ENERGY SERVICES, INC., and therefore, pursuant to the Louisiana Civil Code, HALLIBURTON ENERGY SERVICES, INC., is a proper party defendant herein.

7.

That as a result of the aforesaid collision, KIRBY MOORE has sustained personal injury and pecuniary loss, injuries to his body and mind, including but not limited to his neck, back, shoulders, forearms and wrists, together with past and future

[158009]

mental anguish and physical suffering; past and future loss of enjoyment of life; past and future expenses for medical care; past and future loss of earnings and impaired earning capacity; all of which entitles plaintiff, KIRBY MOORE, to recover from defendants damages as are reasonable in the premises.

8.

Petitioner shows that at all times mentioned hereinabove, there was in full force and effect a policy of insurance issued by defendant, NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA, under the terms and conditions of which it agreed to insure and indemnify defednants, HALLIBURTON ENERGY SERVICES, INC., and PATRICK BAUGHMAN, JR., from the type of liability asserted herein.

9.

Petitioner shows that this case involves damages which exceed \$75,000.00, exclusive of interest and costs.

WHEREFORE, Petitioner, KIRBY MOORE, prays that defendants NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA, HALLIBURTON ENERGY SERVICES, INC., and PATRICK BAUGHMAN, JR., be served with a certified copy of this petition, and after being duly cited to appear and answer hereto, and after the expiration of all legal delays and due proceedings are had, that there be judgment rendered herein in favor of Petitioner, KIRBY MOORE, and against defendants, jointly and/or in solido, for damages as are reasonable in the premises; each of said judgments to bear legal interest from the date of judicial demand until paid and for all costs of these proceedings.

RESPECTFULLY SUBMITTED:

158009

ATTORNEY FOR PLAINTIFF
MORRIS BART, LLC
601 POYDRAS STREET
SUITE 2400
NEW ORLEANS, LA 70130
TELEPHONE: (504) 599-3238
FACSIMILE: (866) 524-2202
E-MAIL: plubecki@morrisbart.com

BY: 

PRZEMEK LUBECKI, NO. 34222

PLEASE SERVE:

NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA
THROUGH ITS REGISTERED AGENT FOR SERVICE OF PROCESS:
LOUISIANA SECRETARY OF STATE
8585 ARCHIVES AVENUE
BATON ROUGE, LA 70809

HALLIBURTON ENERGY SERVICES, INC.
THROUGH ITS REGISTERED AGENT FOR SERVICE OF PROCESS:
CAPITOL CORPORATE SERVICES, INC.
8550 UNITED PLAZA BUILDING II, STE. 305
BATON ROUGE, LA 70809

PATRICK BAUGHMAN, JR
Pursuant to the Louisiana Long-Arm LA R.S. 13:3201, et seq.

By serving
PATRICK BAUGHMAN, JR
303 SPRING HILL AVE
RALEIGH, MS 39153-6015
Via certified mail

PATRICK BAUGHMAN, JR
303 SPRING HILL AVE
RALEIGH, MS 39153-6015
Pursuant to the Non-Resident Motorist Act LA R.S. 13:3474, et seq.
THROUGH ITS REGISTERED AGENT FOR SERVICE OF PROCESS:
LOUISIANA SECRETARY OF STATE
8585 ARCHIVES AVENUE
BATON ROUGE, LA 70809

800.00
Ce

Morris Bart, LA
Terry B. Loup, LA, MS, TX
Glenn Lieberman, LA
Vincent L. Bowers, LA, MD, D.C.
Kenneth M. Altman, LA, MS, FL
Craig A. Gentry, LA, MS
Janet Buggee Avery, LA
James L. Leethem, LA
Roderick A. James, LA
Daniel Shellings, LA, MS, FL
Dennis N. Thomson, LA, AL, AR
Abby L. Roberts, LA, AR
Paige Petriarca, LA
Patrick H. Gibbons, LA
David Lawson, LA
Raynique Kaplan, LA
Eamersida Grehem, LA, NM
Lauren Pille, LA, GA
Przemek Lubecki, LA, IL
Danielle Smith, LA, TX
Kelley Mackenroth, LA
Matthew Hemmer, LA, OH, KY
Sophia Johnson, LA, IL, TX
Jeffrey Lust, LA, TX
Kathryn Landry, LA
Austin Marks, LA
Erin E. Cloyd, LA
Sharika L. King, LA
Shelene Loehn, LA, MA
Reshonda Thompson, LA
Kim Paul, LA
Linda Gonzalez, LA
J.D. Parker, LA
Kelly Johnson, LA
Travis Williams, LA
Aline Branchurst, LA
Lindsay Tapp, LA, MS, CA
Brooke Bond, LA
Adam Basso, LA
Tamyra Craig, LA
Betsy Barnes, LA
John Richards, LA, AR
Brian Buchert, LA
Lauren Sullivan, LA, MS
Richard (Rick) Root, LA
Paul Villalobos, LA
Pamela Hansen, LA
Alexandra Elliot, LA, AL
Lauren Godshell, LA, TX, CA
John Enochs, LA, TX, MS, KY
Spencer Gilden, LA, TX
Christine Brandt, LA, AL
Natalie Kobetz, LA
Sarah Constant, LA
Brittany Caronle, LA
Aaron Hurd, LA
Peter Russell, LA
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Kelly Thibaux, LA
Thalia Eaby, LA
Jacob Goehring, LA
Bryan Sabo, LA
Melodie Molina, LA

OF COUNSEL
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Kathryn Cox, LA
Mark Lumpkin, LA
Stephanie Roberts, LA
Edward Boudreaux, LA
Melissa Herman, LA
Katharina Labrano, LA
John White, LA

ADMINISTRATOR
Mark Duhon

MORRISBART, L.L.C.

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Writer's Direct Facsimile: (866) 524-2202
E-mail: mezell@morrisbart.com

December 5, 2018

Via Overnight Delivery 813941041500

Clerk of Court
26th Judicial District Court, Bossier Parish
204 Burt Boulevard, Third Floor
Benton, LA 71006

RE: Kirby Moore vs. National Union Fire Insurance Company, et al

Dear Clerk:

Please find attached a Petition for Damages which I would appreciate your filing with the court, effecting service on the proper parties and returning a conformed copy back to me in the enclosed self-addressed, stamped envelope. Also, please return a certified copy of the petition so that I may effect service on Patrick Baughman through the Louisiana Long Arm. I have enclosed our firm's check in the amount of \$800.00 for your filing costs of same.

With kind regards, I am,

Sincerely,

/s/Melissa Ezell

Melissa Ezell
Assistant to Przemek Lubecki

me
enclosures

FILED

DEC - 6 2018

DEPUTY CLERK
26TH JUDICIAL DISTRICT COURT
BOSSIER PARISH, LOUISIANA

New Orleans 504.525.8000	Baton Rouge 225.925.8000	Shreveport 318.222.9000	Lafayette 337.233.4200	Monroe 318.807.1000	Alexandria 318.561.7700
Lake Charles 337.477.4600	Gulfport 228.432.9000	Princeton 228.762.4700	Hattiesburg 601.583.8000	Mobile 251.433.2210	Toll Free 1.800.876.2244
Birmingham 303.251.6700	Huntsville 256.539.8300	Montgomery 334.834.1800	Little Rock 501.376.9000	Texasarkam 870.772.1669	

www.morrisbart.com

202

D4490777

CITATION

KIRBY MOORE	TWENTY-SIXTH JUDICIAL DISTRICT
VS	PARISH OF BOSSIER
NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH PA ET AL	STATE OF LOUISIANA
DOCKET NUMBER: C-158009	

TO: HALLIBURTON ENERGY SERVICES INC
THROUGH ITS REGISTERED AGENT FOR SERVICE OF PROCESS:
CAPITOL CORPORATE SERVICES, INC.
8550 UNITED PLAZA BUILDING, II, STE. 305
BATON ROUGE, LA 70809

in the Parish of EAST BATON ROUGE.

You are hereby cited to comply with the demand contained in the petition, a certified copy of which accompanies this citation, or to file your answer or other pleading to said petition in the office of the Clerk of the 26th Judicial District Court in the Bossier Parish Court House in the Town of Benton in said Parish within fifteen (15) days after the service hereof. Your failure to comply herewith will subject you to the penalty of entry of default judgment against you.


The Sheriff or his deputy has just handed you a law suit which states why you are being sued. You (as defendant) will have fifteen (15) days after you receive this petition to either file an answer (in writing) with the Bossier Parish Clerk of Court in Benton, Louisiana, or retain an attorney of your choice to act in your behalf. If you do nothing within the said time period, then a judgment could be rendered against you.

Attached hereto are:

PETITION FOR DAMAGES

Witness the Honorable Judges of our said Court on this the 7TH DAY OF DECEMBER, 2018

JILL M. SESSIONS, CLERK OF COURT


Deputy Clerk
Bossier Parish, Louisiana

Attorney:
MORRIS BART, LLC
PRZEMEK LUBECKI
601 POYDRAS STREET, SUITE 2400
NEW ORLEANS, LA 70130
504-599-3238

DEC 21 2018

SERVICE INFORMATION

UNSERVED
PERSONAL
DOMICILIARY

DATE
REMARKS

FILED
JAN 09 2019

DEPUTY SHERIFF 26TH JUDICIAL DISTRICT COURT
BOSSIER PARISH, LOUISIANA

Made service on the named party
by tendering a copy of this document on this day

DEC 28 2018
W. GORDON
R. Landry #0675
Deputy Sheriff, Parish of Bossier, Louisiana

Sid J. Gautreaux
Sheriff East Baton Rouge Parish

Clerk of Court Bossier Parish
P.O. Box 430
Benton, LA 71006

DISTRICT COURT
For the Parish of East Baton Rouge
12/27/2018

Case: (08) 158009		KIRBY MOORE vs NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH PA	
1,553,431		ET AL	
Nbr	Date	Service Type	Charges
CIT			
1	12/27/2018	Mileage Charge	\$9.36
Case Total:			\$9.36
Total:			\$9.36

FILED

JAN 09 2019

Shirley D. Bryant
DEPUTY CLERK
26TH JUDICIAL DISTRICT COURT
BOSSIER PARISH, LOUISIANA

Please make check payable to:
Sid J. Gautreaux, Sheriff
P.O. Box 3277
Baton Rouge, LA 70821

PLEASE RETURN THIS BILL WITH CHECK

D4490793

CITATION

KIRBY MOORE	TWENTY-SIXTH JUDICIAL DISTRICT
VS	PARISH OF BOSSIER
NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH PA ET AL	STATE OF LOUISIANA
DOCKET NUMBER: C-158009	

TO: PATRICK BAUGHMAN, JR
303 SPRING HILL AVE
RALEIGH, MS 39153-6015

Pursuant to the Non-Resident Motorist Act LA R.S. 13:3474, et seq.
LOUISIANA SECRETARY OF STATE
8585 ARCHIVES AVENUE
BATON ROUGE, LA 70809

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JILL M. SESSIONS, CLERK OF COURT

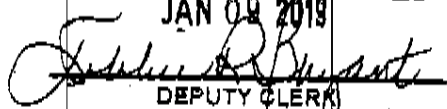


Deputy Clerk
Bossier Parish, Louisiana

Attorney:
MORRIS BART, LLC
PRZEMEK LUBECKI
601 POYDRAS STREET, SUITE 2400
NEW ORLEANS, LA 70130
504-599-3238

FILED

JAN 09 2019



DEPUTY CLERK
26TH JUDICIAL DISTRICT COURT
BOSSIER PARISH, LOUISIANA

SERVICE INFORMATION

UNSERVED
PERSONAL
DOMICILIARY

GIVEN TO

I made service on the named party through the
Office of the Secretary of State on

DATE
REMARKS

DEC 28 2018

by tendering a copy of this document to:
KATHY DARDEN

DEPUTY SHERIFF

DEC 31 2018

DY. DY. E. GASPARD 0922
PHONE # 225 803-1671
Deputy Sheriff, Parish of East Baton Rouge, LA
PERSONAL

D4490785

CITATION

KIRBY MOORE	TWENTY-SIXTH JUDICIAL DISTRICT
VS	PARISH OF BOSSIER
NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH PA ET AL	STATE OF LOUISIANA
DOCKET NUMBER: C-158009	

TO: NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH PA
THROUGH ITS REGISTERED AGENT FOR SERVICE OF PROCESS:
LOUISIANA SECRETARY OF STATE
8585 ARCHIVES AVENUE
BATON ROUGE, LA 70809

in the Parish of EAST BATON ROUGE.

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Attached hereto are:

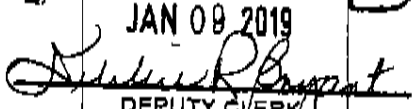
PETITION FOR DAMAGES

Witness the Honorable Judges of our said Court on this the 7TH DAY OF DECEMBER, 2018

JILL M. SESSIONS, CLERK OF COURT


Deputy Clerk
Bossier Parish, Louisiana

Attorney:
MORRIS BART, LLC
PRZEMEK LUBECKI
601 POYDRAS STREET, SUITE 2400
NEW ORLEANS, LA 70130
504-599-3238

FILED
JAN 09 2019

DEPUTY CLERK
28TH JUDICIAL DISTRICT COURT
BOSSIER PARISH, LOUISIANA

SERVICE INFORMATION

UNSERVED		I made service on the named party through the -
PERSONAL		Office of the Secretary of State on
DOMICILIARY	GIVEN TO	
DATE		DEC 28 2018
REMARKS		by tendering a copy of this document to: KATHY DARDEN
		DY. DY. E. GASPARD 0922 Deputy Sheriff, Parish of East Baton Rouge, LA
DEPUTY SHERIFF		

DEC 21 2018

PERSONAL